

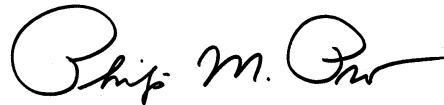
1 Complaint must be dismissed for failure to state a claim pursuant to Rule 12(b)(6) of
2 the Federal Rules of Civil Procedure. Defendants further argue that Plaintiff's
3 various claims for fraud are defficient because they are not plead with sufficient
4 particularity as required by Rule 9(b) of the Federal Rules of Civil Procedure, and
5 are barred by applicable statutes of limitations.

6 For the reasons set forth in Defendants' Motion to Dismiss (Doc. #5) and
7 Reply (Doc. #12), the Court finds that Defendants are entitled to the relief requested.

8 **IT IS THEREFORE ORDERED that** Defendants Countrywide Home
9 Loans, Inc., Bank of America and Recontrust Company's Motion to Dismiss
10 (Doc. #5) is **GRANTED**.

11 **IT IS FURTHER ORDERED that** the Clerk of Court shall enter
12 judgment in favor of Defendants Countrywide Home Loans, Inc., Bank of America
13 and Recontrust Company and against Plaintiff Vito O. Reyes.

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15 DATED: April 12, 2010.

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18 PHILIP M. PRO
19 United States District Judge
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